

ORAL SUMMARY

STATEMENT OF WILLIAM A. SQUIRES

**Sr. Vice President – General Counsel
Blackfoot Telecommunications Group**

**Regarding The ‘IP-Enabled Voice Communications and Public Safety Act of 2005’
Before The
U.S. Senate Committee On Commerce, Science, And Transportation**

September 1, 2005

INTRODUCTION --

SENATOR BURNS, MY NAME IS BILL SQUIRES. I AM THE SR. VICE PRESIDENT AND GENERAL COUNSEL FOR THE BLACKFOOT TELECOMMUNICATIONS GROUP HEADQUARTERED IN MISSOULA, MONTANA. BLACKFOOT IS BOTH AN INCUMBENT RURAL TELEPHONE COMPANY, PROVIDING SERVICE TO APPROXIMATELY 18,000 CUSTOMER ACCESS LINES IN RURAL WESTERN MONTANA, AND A COMPETITIVE LOCAL EXCHANGE CARRIER, PROVIDING COMPETITIVE TELECOMMUNICATIONS SERVICES TO THE MISSOULA MARKET.

SUPPORT FOR SENATE BILL 1063 - -

SINCE 1954 WHEN BLACKFOOT BEGAN SERVICE AS A SMALL RURAL TELEPHONE COOPERATIVE, IT HAS DONE SO IN LARGE PART TO PROVIDE OUR RURAL MEMBERS WITH MUCH NEEDED CONTACT WITH OTHERS, INCLUDING VITAL ACCESS TO EMERGENCY SERVICES. THE CONTINUING DEVELOPMENT OF OUR GLOBAL ECONOMY, AND THE ABSOLUTE NEED FOR MONTANA TO BE A PLAYER IN THAT ECONOMY, DICTATES THAT OUR TELECOMMUNICATIONS NETWORKS AND SERVICES BE ON PAR WITH THOSE IN MUCH LARGER URBAN AREAS – AND THEY ARE. HOWEVER, WE MUST ALWAYS HAVE AS OUR FIRST GOAL THE SAFETY AND SECURITY OF OUR FAMILIES AND OUR NEIGHBORS. TO THAT END, WE APPLAUD THE INTRODUCTION OF SENATE BILL 1063, AND VERY MUCH APPRECIATE YOUR CO-SPONSORSHIP OF THIS IMPORTANT LEGISLATION.

THERE IS A GREAT DEAL OF 'BUZZ' SURROUNDING THE VIRTUES OF IP-ENABLED VOICE SERVICES, OR 'VoIP' AS IT HAS BEEN DUBBED. TO BE SURE, THIS TECHNOLOGY REPRESENTS SIGNIFICANT ADVANCES IN NOT ONLY NETWORK UTILIZATION AND EFFICIENCY, BUT IN CUSTOMER CHOICE FLEXIBILITY. WITH THAT FLEXIBILITY COMES THE HEIGHTENED OBLIGATION TO ENSURE, TO THE GREATEST EXTENT POSSIBLE, THAT ALL OUR CUSTOMERS, INCLUDING THOSE IN OUR RURAL AREAS, WILL HAVE THE BENEFITS OF ENHANCED-911 SERVICES SHOULD THEY EVER BE NEEDED. SENATE BILL 1063 TAKES MANY IMPORTANT STEPS IN ENSURING THAT E-911 SERVICES WILL BE AVAILABLE TO VoIP CUSTOMERS.

IMPLEMENTATION REALITIES - -

SENATE BILL 1063 DELEGATES TO THE FEDERAL COMMUNICATIONS COMMISSION THE AUTHORITY TO PRESCRIBE REGULATIONS IN ORDER TO ESTABLISH A SET OF REQUIREMENTS ON PROVIDERS OF IP-ENABLED VOICE SERVICES. SECTION 2(B) OF THE BILL WOULD REQUIRE COMPANIES SUCH AS BLACKFOOT TO PROVIDE NON-DISCRIMINATORY ACCESS TO EMERGENCY SERVICES INFRASTRUCTURE. WHILE BLACKFOOT CERTAINLY DOES NOT OBJECT TO THIS REQUIREMENT, I IMPLORE YOU TO BE AS SPECIFIC AS POSSIBLE IN THE CONGRESSIONAL RECORD REGARDING JUST WHAT IS MEANT BY SUCH 'NON-DISCRIMINATORY' ACCESS, AS WELL AS THE COST RECOVERY MECHANISMS FOR SUCH INFRASTRUCTURE. WITH A LIMITED CUSTOMER BASE, BLACKFOOT AND SIMILAR COMPANIES SIMPLY CANNOT ABSORB A GREAT DEAL OF ADDITIONAL EXPENSE RELATING TO UPDATES TO MASTER DATABASES OF LOCATION INFORMATION. THIS PROCESS CAN BE COMPLICATED BY THE DYNAMIC NATURE OF IP DEVICES, MEANING THAT LOCATION DATABASES MAY NEED TO ESSENTIALLY HAVE IMMEDIATE UPDATES WHENEVER A USER OF THIS SERVICE CHANGES LOCATION. I WOULD SUGGEST THAT, SIMILAR TO WIRELESS E-911, A SIMPLER AND MORE COST EFFECTIVE IMPLEMENTATION REGIME MAY BE TO REQUIRE, OVER TIME, THAT ALL VoIP DEVICES BE GPS EQUIPPED.

ANY NON-DISCRIMINATORY SYSTEM WILL UNDOUBTEDLY INVOLVE UPDATING OF CUSTOMER SUPPORT SOFTWARE. AGAIN, THE COMMISSION'S RULES SHOULD PROVIDE FOR THE FAIR RECOVERY OF THESE COSTS.

AS AN ASIDE, AND SOMEWHAT OUT OF THE SCOPE OF THIS HEARING, I ALSO ENCOURAGE THE COMMITTEE, AND THE COMMISSION, TO RECONCILE THE BILL'S 'NON-DISCRIMINATORY ACCESS' PROVISIONS WITH THE OVERRIDING PROVISIONS OF SECTION 251(F) OF THE TELECOMMUNICATIONS ACT OF 1996, WHICH EXEMPTS RURAL TELEPHONE COMPANIES SUCH AS BLACKFOOT TELEPHONE COOPERATIVE FROM CERTAIN 'UNBUNDLING' REQUIREMENTS OTHERWISE IMPOSED BY THAT ACT.

FINALLY, I WOULD BE REMISS IF I DID NOT COMMENT ON THE BIGGEST OBSTACLE TO DATE IN IMPLEMENTING E-911 IN RURAL SERVICE AREAS, AND THAT IS THE ISSUE OF RURAL ADDRESSING AND COUNTY-STATE COLLABORATION. REGARDING ADDRESSING, SOME COUNTIES IN MONTANA HAVE CONTRACTED WITH THIRD-PARTIES TO DO RURAL ADDRESSING, AND IT IS WORKING VERY WELL. HOWEVER, SOME COUNTIES HAVE CHOSEN TO UNDERTAKE THE ADDRESSING THEMSELVES. THIS HAS LED TO DELAYS IN COMPLETING RURAL ADDRESSING IN A TIMELY MANNER. IN MISSOULA COUNTY, FOR INSTANCE, E-911 HAS BEEN IMPLEMENTED WITHOUT COMPLETION OF ADDRESSING IN MANY OF THE RURAL AREAS SERVED BY BLACKFOOT.

COMPOUNDING THIS ISSUE IS THE LACK OF MANDATED STANDARDS FOR ADDRESSING. WHILE THE STATE HAS SET FORTH RECOMMENDED STANDARDS, EACH COUNTY IS FREE TO IMPLEMENT ADDRESSING IN THEIR OWN WAY. IT MAY SOUND TEDIOUS, BUT DESIGNATIONS SUCH AS 'LANE', 'LN', OR 'LNE' HAVE SIGNIFICANT DATABASE IMPLICATIONS. SIMILARLY, INCONSISTENCIES IN DATA BASES MAINTAINED BY SOME E-911 PROVIDERS CAUSE A GREAT DEAL OF DELAY,

AND EXPENSE, IN SCRUBBING DATA. FUTURE FUNDING AND IMPLEMENTATION REGULATIONS CAN BE USED BY THE COMMISSION TO ENTICE MORE COUNTIES TO MOVE TOWARD STANDARDS, AND FOR PROVIDERS TO PAY GREATER ATTENTION TO CLEAN DATA

CONCLUSION - -

AGAIN, ON BEHALF OF BLACKFOOT TELECOMMUNICATIONS AND SIMILAR RURAL TELEPHONE COMPANIES, I WOULD LIKE TO THANK YOU FOR BRINGING FORWARD THIS IMPORTANT LEGISLATION. AS WITH ANY LEGISLATION, THE DEVIL CERTAINLY IS IN THE IMPLEMENTATION DETAILS, AND I COMMIT TO WORK WITH YOU, YOUR STAFF, THE COMMISSION, AND OTHER INTERESTED PARTIES TO SEE THAT THIS LEGISLATION BRINGS TO RURAL MONTANA THE BENEFITS OF E-911 SERVICES, WHILE ALLOWING THE US ALL TO REALIZE THE OPPORTUNITIES BROUGHT BY VoIP SERVICES.